



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUL 2. 2001

DOT-E 11110
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: United Parcel Service Company (UPSCO)
Louisville, Kentucky
2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain hazardous materials in an inaccessible location aboard an aircraft in quantities exceeding those authorized by § 175.75(a)(2) subject to the conditions and limitations provided herein. This exemption authorizes the hazardous materials identified in paragraph 6 below, which are otherwise permitted to be carried aboard passenger-carrying aircraft, to be loaded:
 - a. In any inaccessible cargo compartment;
 - b. In any freight container within an accessible cargo compartment; and
 - c. In any accessible cargo compartment in a cargo-only aircraft in a manner that makes them inaccessible in flight.

This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 171.8 (modified) and § 175.75(a)(2) in that quantity limitations are exceeded.
5. BASIS. This exemption is based on United Parcel Service Company's application dated May 21, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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The hazardous materials shipped under the terms of this exemption must be described by the specific chemical name or generic description, as appropriate.

Class or Division as follows:

- o Division 1.4, Compatibility Group S;
- o Class 3, Packaging Group III, not meeting the definition of any other hazard class;
- o Division 6.1, Packaging Group III;
- o Class 8, Packaging Group III, not meeting the definition of any other hazard class;

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Hazardous materials must in all respects be acceptable for transport by passenger-carrying aircraft, including the quantity limitations specified in column (9A) of the Hazardous Materials Table (§ 172.101), however, no package may exceed a gross mass of 32 kg (70 pounds).

b. Only combination packagings authorized by the regulations for the hazardous materials concerned are permitted (i.e., single packagings are not authorized) to be transported under terms of this exemption.

8. MODES OF TRANSPORTATION AUTHORIZED. Cargo aircraft only
(See paragraph 9.c for the limited extension of definition.)9. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption.

b. Hazardous materials may only be transported under the terms of this exemption aboard an aircraft either operated by United Parcel Service Company, or by an operator listed in the appendix to this exemption when that aircraft is operated under contract to, and in the exclusive use of, UPSCO. An aircraft operated by an operator not listed in the appendix to this exemption may, when operating under contract to, and in the exclusive use of, UPSCO, transport hazardous materials under the terms of this exemption

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provided that operator has been identified to and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to engaging in such transport. An aircraft is considered to be operating under the exclusive use of UPSCO when, for a particular flight or series of flights, all initial, intermediate and final loading and unloading of all cargo carried aboard the aircraft is performed in accordance with UPSCO loading procedures either by UPSCO personnel, or by ground handling agents under direct contract to UPSCO to load aircraft (UPSCO-operated and contractor-operated) on behalf of UPSCO.

c. In addition to persons authorized aboard the aircraft according to the definition in § 171.8 for cargo aircraft only (i.e., crewmembers, company employees, authorized representatives of the United States, or persons accompanying a shipment), airline employees (of other carriers) that hold a current FAA Commercial Pilot or Airline Transport Pilot certificates are permitted onboard aircraft operating under the terms of this exemption.

10. COMPLIANCE. Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

11. REPORTING REQUIREMENTS. The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption

must inform the AAHMS, in writing, of any incidents involving hazardous materials transported under the terms of this exemption.

Issued in Washington, D.C.:

R. Ryan
for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM

APPENDIX

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SUPPLEMENTAL CARRIERS AUTHORIZED TO TRANSPORT UNDER
THE TERMS OF DOT-E 11110

1. Air Cargo-MKT USA
2. Air Trans International
3. Alaska Airlines
4. American International Airways (Kalitta)
5. Amerijet
6. Arrow Air
7. Atlas Air
8. Burlington Air Express
9. Capital Cargo International
10. Challenge Air Cargo
11. Charter America
12. Custom Air Transport
13. Emery
14. Evergreen International Airlines
15. Express Net
16. Express One
17. Fine Air
18. Florida West
19. Gemini Air Cargo
20. Kalitta Air
21. Kitty Hawk
22. Lynden Air

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- 23. Miami Air
- 24. Million Air
- 25. Northern Air Cargo
- 26. Northwest Airlines
- 27. Omni Air Express
- 28. Polar Air Cargo
- 29. Southern Air Incorporated
- 30. Southern Air Transport
- 31. Sun Country Airlines
- 32. Tower
- 33. Tradewinds
- 34. Trans Continental Airlines
- 35. United Airlines
- 36. World Airways